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Filing date: **06/29/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91221895
Party	Defendant WordPress Foundation
Correspondence Address	DAVID A.W. WONG BARNES & THORNBURG LLP 11 S MERIDIAN ST INDIANAPOLIS, IN 46204-3506 dwong@btlaw.com;TMINDocket@btlaw.com
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Date	06/29/2015
Attachments	WordPress Brief in Reply.pdf(98561 bytes) Zipped Brief in Reply Exhibit 1.pdf(5836215 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Edward J. Yablon,)	
)	
Opposer,)	Application Serial No. 86448439
)	
v.)	Mark: WORDPRESS
)	
WordPress Foundation,)	Opposition No. 91221895
)	
Applicant)	

**APPLICANT'S REPLY BRIEF IN SUPPORT OF ITS MOTION TO SUSPEND AND
RESPONSE IN OPPOSITION TO OPPOSER'S REQUEST FOR DEFAULT
JUDGMENT**

WordPress Foundation (“WordPress”) respectfully requests that the Board deny Opposer’s improper Request for Default Judgement, as WordPress timely complied with the provisions of 37 CFR § 2.117(a) and Section 510.02(a) of the Trademark Trial and Appeal Board Manual of Procedure, showing just cause for suspending the proceeding, and therefore has not failed to answer within the appropriate time period. In support of its Motion to Suspend, WordPress states as follows:

On June 18, 2015, WordPress filed a lawsuit against Opposer alleging infringement of WordPress’ federally registered trademarks, unfair competition and false designation of origin, violations of the Anticybersquatting Consumer Protections Act, and trademark infringement under the laws of the state of California (the “Lawsuit”). Pursuant to 37 CFR § 2.117(a) and Section 510.02(a) of the Trademark Trial and Appeal Board Manual of Procedure (TBMP), on June 19, 2015, WordPress timely filed a Motion to Suspend Proceedings Due to Prior Pending Civil Action in Federal District Court (“Motion to Suspend”). A copy of the Motion to Suspend is attached hereto as Exhibit 1.

Prior to WordPress' June 21, 2015, deadline to file an Answer to Opposer's Notice of Opposition, WordPress filed the pending Motion to Suspend. Under 37 CFR §2.127(d) and TBMP Section 528.03, an opposition proceeding will be suspended when any party files a motion that is potentially dispositive of a proceeding. Specifically, 37 C.F.R. §2.127(d) provides as follows:

When any party files a motion to dismiss, or a motion for judgment on the pleadings, or a motion for summary judgment, or any other motion which is potentially dispositive of a proceeding, the case will be suspended by the Trademark Trial and Appeal Board with respect to all matters not germane to the motion and no party should file any paper which is not germane to the motion except as otherwise specified in the Board's suspension order. If the case is not disposed of as a result of the motion, proceedings will be resumed pursuant to an order of the Board when the motion is decided.

WordPress' Motion to Suspend is potentially dispositive of this Proceeding because the lawsuit involves issues in common with and identical to those before the TTAB in this Proceeding, specifically WordPress' rights to the WordPress Trademarks, and Opposer's use of the WordPress Trademarks. The District's Court's determination of these issues will be binding on the Trademark Trial and Appeal Board. *Indus., Inc. v. The Libman Co., Cancellation No. 23,564*, 1996 TTAB; *Vining Indus., Inc. v. The Libman Co., Cancellation No. 23,564*, 1996 TTAB LEXIS 455, at *5 (TTAB, July 16, 1996) (district court's decision on validity of registered mark binding on TTAB).

Opposer argues without any factual or legal support that the Lawsuit has no impact on the application at issue in this Proceeding, because "the merits for approval or rejection of the Trademark Application would not be impacted by the outcome of the matter cited." This argument is factually and legally inaccurate. To establish trademark infringement in the Lawsuit, WordPress will need to establish its right to use and register the WordPress trademarks. *See* U.S.C. § 1114(1)(a). The instant Proceeding, and the allegations made by Opposer, also

revolve around WordPress' rights to use and register the WordPress trademarks, and thus the issues in the Proceeding are common with and identical to those before the District Court in the Lawsuit. *See Squirrel Brand Company v. Barnard Nut Co. Inc.*, 101 USPQ 340 (Comr., 1954) ("Rights in trademarks grow out of their use. Use is a prerequisite to ownership, and use in commerce by the owner is a prerequisite to registration. Although the ultimate finding of the tribunals of the Patent Office in proceedings such as these is the right of an applicant to register, nevertheless there must be a finding of the right to use in commerce before that ultimate finding can be made. The Court, in the civil action, will necessarily determine this preliminary question of the right to use, and that determination will form the basis of the ultimate finding of the Office"); *see also General Motors Corp. v. Cadillac Club Fashions Inc.*, 22 USPQ2d 1933 (TTAB 1992); and *Whopper-Burger, Inc. v. Burger King Corp.*, 171 USPQ 805 (TTAB 1971).

The Opposer also alleges that the Lawsuit at issue is not "in progress," and is therefore not sufficient to suspend the Proceeding under 37 CFR § 2.117(a) and Section 510.02(a). Rule 3 of the Federal Rules of Civil Procedure provides that a civil action is commenced by filing a complaint with the court. The Board relied on Rule 3 in *Tokaido v. Honda Associates Inc.*, 179 USPQ 861 (TTAB 1973), when it aptly noted, that the fact that the complaint may not yet have been served upon the defendant did not in and of itself serve to negate the existence of the suit for purposes of a Motion to Suspend Pending Final Determination of a Civil Suit. As stated in Paragraph 1, WordPress filed the complaint on June 18, 2015, and therefore its June 19, 2015, Motion to Suspend was proper and timely.

Despite the fact that the Proceeding before the TTAB was the first to be filed, the Board has deemed it to be better policy to suspend a TTAB proceeding until the civil suit at issue has been concluded. *See Townley Clothes, Inc. v. Goldring, Inc.*, 100 USPQ 57 (Comr., 1953) ("As

stated, each case must rest on its own set of facts and where, as here, the issues in a civil action involve ownership, secondary meaning and the right to exclusive use, and the Court's findings will be determinative of the same issues so far as the right to register is concerned, it is deemed to be the sounder practice to suspend the Patent Office proceedings pending termination of the Court action"); *Tuvache, Inc. v. Emilio Pucci Perfumes International, Inc.*, et al., 152 USPQ 574 (DC NY, 1967); and *Sam S. Goldstein Industries, Inc. v. Botany Industries, Inc.*, 163 USPQ 442 (DC NY, 1969).

For the aforementioned reasons, WordPress respectfully requests that Opposer's Motion for Default Judgement be denied, and that the Proceeding be suspended until final determination of the pending civil action in the District Court.

Respectfully submitted,

WORDPRESS FOUNDATION

Date: June 29, 2015

By /s/ Caitlin R. Brandon

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this APPLICANT'S BRIEF IN OPPOSITION TO OPPOSER'S REQUEST FOR DEFAULT JUDGMENT has been served by depositing a copy of the same in the United States mail, first class postage prepaid and properly addressed to:

Edward J. Yablon
PC-VIP Inc.
115 E 87th St21-C
New York, NY 10128

this 29th day of June, 2015.

/s/ Caitlin R. Brandon

ESTTA Tracking number: **ESTTA679109**

Filing date: **06/19/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91221895
Party	Defendant WordPress Foundation
Correspondence Address	DAVID A.W. WONG BARNES & THORNBURG LLP 11 S MERIDIAN ST INDIANAPOLIS, IN 46204-3506 dwong@btlaw.com;TMINDocket@btlaw.com
Submission	Motion to Suspend for Civil Action
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Signature	/cbrandon/
Date	06/19/2015
Attachments	TTAB Motion to Stay.pdf(97627 bytes) Filed WordPress - Complaint for Infringement (DKT#1-5).pdf(4529100 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Edward J. Yablon,)	
)	
Opposer,)	Application Serial No. 86448439
)	
v.)	Mark: WORDPRESS
)	
WordPress Foundation,)	Opposition No. 91221895
)	
Applicant)	

**APPLICANT'S MOTION TO SUSPEND PROCEEDINGS
DUE TO PRIOR PENDING CIVIL ACTION IN FEDERAL DISTRICT COURT**

Pursuant to 37 CFR § 2.117(a) and Section 510.02(a) of the Trademark Trial and Appeal Board Manual of Procedure, Applicant WordPress Foundation ("WordPress") submits this Motion to Suspend Opposition Proceeding No. 91221895 ("Proceeding") until a final determination of the ongoing Civil Action No. 3:15-cv-02745 pending between the same parties in the United States District Court for the Northern District of California, the determination of which will have a bearing on this proceeding.

In support of its Motion to Suspend, Applicant states as follows:

1. On June 18, 2015, WordPress filed a lawsuit against Edward J. Yablon ("Yablon") and PC-VIP, Inc. (the "Lawsuit"). In its Complaint in the Lawsuit, WordPress alleged the following:

(i) infringement of WordPress' rights in United States Trademark Application Serial Nos. 86/448439 (the application at issue in this opposition proceeding) and 86/448426 and trademark infringement of United States Trademark Registration Nos. 3201424, 3201428, 3988241, 4317426, (collectively, the WordPress Trademarks);

(ii) unfair competition and false designation of origin related to Yablon's use of the WordPress Trademarks;

(iii) violations of the AntiCybersquatting Consumer Protections Act; and

(iv) trademark infringement, false designation of origin and unfair competition under the laws of the state of California.

A copy of the Complaint is attached hereto as Exhibit 1.

2. The Lawsuit involves issues in common with and identical to those before the TTAB in Opposition No. 91221895, specifically WordPress' rights to the WordPress Trademarks, and Yablon's use of the WordPress Trademarks.

3. Good cause exists to suspend this Proceeding because the issues raised in this Proceeding have been pled or are likely to be pled in Yablon's answer, and will be determined by the District Court during the course of the Lawsuit. The District's Court's determination of these issues will be binding on the Trademark Trial and Appeal Board. *Indus., Inc. v. The Libman Co.*, Cancellation No. 23,564, 1996 TTAB; *Vining Indus., Inc. v. The Libman Co.*, Cancellation No. 23,564, 1996 TTAB LEXIS 455, at *5 (TTAB, July 16, 1996) (district court's decision on validity of registered mark binding on TTAB). As a result, judicial economy and the potential for inconsistent judgments strongly favor suspension of this Opposition. *Id.* at *6 (interest of judicial economy and possibility of inconsistent judgments supports suspension pending outcome of district court case); see also *American Computer Associates, Inc. v. Model American Computer Corp.*, Cancellation No. 23,939, 2000 TTAB LEXIS 706, at *2 (TTAB, Sept. 29, 2000) (cancellation proceeding suspended pending disposition of prior cancellation in which discovery was substantially complete); *The Other Telephone Co. v. Connecticut Nat'l Telephone Co., Inc.*, 181 U.S.P.Q. 125, at 127 (TTAB, Feb. 11, 1974) (opposition suspended because both district court and TTAB case involved likelihood of confusion analysis); *Farah v. Topiclear Beauty*

Products, Inc., Opposition No. 151,334, 2003 TTAB LEXIS 405, at *16-17 (TTAB, Aug. 21, 2003). Further, the Board regularly stays its proceedings until related district court actions conclude. *See, PHC, Inc. v. Pioneer Healthcare, Inc.*, 75 F.3d 75, 78 (1st Cir. 1996) (noting that the TTAB had suspended its proceedings even though the federal court action was filed *after* the TTAB proceedings began).

4. This request is timely as it is made before the expiration of WordPress' period for filing its Answer (currently due on June 21, 2015). For the aforementioned reasons, WordPress respectfully requests that the Proceeding be suspended until final determination of the pending civil action in the District Court.

Respectfully submitted,

WORDPRESS FOUNDATION

Date: June 19, 2015

By /s/ David A.W. Wong

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this MOTION TO SUSPEND PROCEEDINGS DUE TO PRIOR PENDING CIVIL ACTION IN FEDERAL DISTRICT COURT has been served by depositing a copy of the same in the United States mail, first class postage prepaid and properly addressed to:

Edward J. Yablon
PC-VIP Inc.
115 E 87th St21-C
New York, NY 10128

this 19th day of June, 2015.

/s/ Caitlin R. Brandon

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6 Attorneys for Plaintiff
7 WORDPRESS FOUNDATION

8 UNITED STATES DISTRICT COURT
9
10 NORTHERN DISTRICT OF CALIFORNIA

11 WORDPRESS FOUNDATION,
12 Plaintiff,
13 v.
14 EDWARD JEFFREY YABLON and
PC-VIP, INC.,
15 Defendants.

Case No.:

COMPLAINT FOR:

- (1) **INFRINGEMENT OF FEDERALLY REGISTERED TRADEMARK**
[SECTION 32 OF THE LANHAM ACT, 15 U.S.C. § 1114];
- (2) **FALSE DESIGNATION OF ORIGIN AND UNFAIR COMPETITION**
[SECTION 43(A) OF THE LANHAM ACT, 15 U.S.C. § 1125(A)];
- (3) **ANTICYBERSQUATTING**
CONSUMER PROTECTION ACT [15 U.S.C. § 1125(D)];
- (4) **TRADEMARK INFRINGEMENT**
[CAL. BUS. & PROF. CODE § 14245];
- (5) **UNFAIR COMPETITION**
[CALIFORNIA BUSINESS AND PROFESSIONS CODE § 17200 *ET SEQ.*]

[DEMAND FOR JURY TRIAL]

1 The Plaintiff, WordPress Foundation ("WPF"), for its Complaint against the Defendants,
2 Edward Jeffrey Yablon ("Yablon") and PC-VIP, Inc. (PC-VIP) herein alleges:

3 **JURISDICTION AND VENUE**

4 1. This action arises under the trademark and unfair competition laws of the United States,
5 the Anticybersquatting Consumer Protection Act, and California State law.

6 2. This action is brought pursuant to 15 U.S.C. § 1114, § 1125(a), and § 1125(d), and the
7 California Business and Professions Code § 14245 and § 17200 *et seq.*

8 3. This Court has jurisdiction over the subject matter of this case pursuant to 15 U.S.C. §
9 1121, 28 U.S.C. § 1331, § 1338(a), and § 1338(b), and supplemental jurisdiction pursuant to 28 U.S.C.
10 § 1367.

11 4. Plaintiff is informed and believes, and on that basis alleges, that this Court has personal
12 jurisdiction over the Defendants because the Defendants are, and have been, conducting continuous
13 and systematic business by promoting and selling services within the State of California and within the
14 boundaries of the Northern District of California. Defendants have also caused harm and committed
15 unlawful acts hereinafter complained of in this judicial district, and Plaintiff has suffered harm in this
16 judicial district as a result of Defendants' conduct.

17 5. Venue is appropriate in this district in accordance with 28 U.S.C. § 1391(b) and (c).

18 **PARTIES**

19 6. WPF is a corporation organized under the laws of the State of California, having an
20 office and principal place of business at 200 Brannan Street #511, San Francisco, California, 94107.

21 7. Defendant Yablon is an individual residing in New York, New York, where he is doing
22 business as The WordPress Helpers and has identified himself as the President of the same. His listed
23 address is 115 East 87th Street, New York, New York.

24 8. Defendant PC-VIP is a New Jersey corporation with its principal place of business at
25 333 Alpine Court, Stanhope, New Jersey. Upon information and belief, Defendant PC-VIP is the parent
26 company of The WordPress Helpers. Defendant Yablon has also identified himself as the President and
27 Chief Executive Officer of Defendant PC-VIP.

28 \\\

ALLEGATIONS COMMON TO ALL COUNTS

The Business of WordPress Foundation

9. The WordPress Foundation, in part through its predecessor in interest and licensees (collectively, "WPF") uses the WordPress Trademarks, as defined in paragraph 17 *infra*, in connection with the well-known WordPress blogging software, and related services in interstate commerce since as early as 2003. WordPress is the largest self-hosted blogging tool and online publishing platform in the world, used on millions of sites and seen by tens of millions of people every day. The goods and services offered and sold by WPF are well-known and highly desirable to consumers.

10. Over the past thirteen years, WPF has marketed, sold, and provided its goods and services under the WORDPRESS trademark, a stylized version of the WORDPRESS word mark



, and a unique, stylized "W" logo .



11. WPF considers its intellectual property amongst its most valuable assets and acts to protect it accordingly.

12. WPF has owned federal trademark registrations for the WORDPRESS trademark and WORDPRESS & Design stylized trademark in the United States since January 23, 2007, for:

Downloadable software program for use in design and managing content on a website and Software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing

(U.S. Registration Nos. 3201424 and 3201428), claiming a date of first use in commerce as March 28, 2003. In February of 2012, WPF timely complied with the requirements of 15 U.S.C. § 1065, and as such, has achieved the incontestable right to use the WORDPRESS trademark and WORDPRESS & Design stylized trademark in the United States. Copies of the registrations for the U.S. Registration Nos. 3201424 and 3201428 are attached hereto as Exhibit A.

13. WPF is also the owner of the "W" logo, which has been registered in the United States since July 5, 2011, for:

computer software for use in design and managing content on a website and enabling internet publishing and electronic publishing

1 services, namely, publication of video, text and graphic works of
2 others via the Internet

3 and since April 9, 2013, for

4 Clothing, namely, t-shirts, sweatshirts, jackets, pullovers, tank tops
5 and shorts and Application service provider (ASP), namely,
6 providing use of on-line non-downloadable software for use in
7 design and managing content on a website and enabling internet
8 publishing,

9 (U.S. Registration Nos. 3988241 and 4317426), claiming dates of first use in commerce as March 28,
10 2003, for the software goods and services and July 2006 for the apparel. Copies of the registrations for
11 U.S. Registration Nos. 3988241 and 4317426 are attached hereto as Exhibit B.

12 14. WPF is also the owner of two pending U.S. Trademark applications for the
13 WORDPRESS trademark, both filed November 7, 2014, for:

14 electronic publishing services, namely, publication of video, text
15 and graphic works of others via the Internet and clothing, namely,
16 t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts.

17 (U.S. Application Serial Nos. 86448439 and 86448426), claiming a date of first use in commerce as
18 March 28, 2003. Copies of the Trademark Status and Document Retrieval Records for U.S. Application
19 Serial Nos. 86448439 and 86448426 are attached hereto as Exhibit C.

20 15. WPF has filed for or obtained registration of the various WordPress trademarks
21 discussed in paragraph 10 for use in connection with these goods and services in more than 60
22 countries around the world. Information regarding the status of these applications and registrations is
23 attached hereto as Exhibit D.

24 16. In addition, WPF provides numerous services related to those identified in its trademark
25 applications and registrations identified above, including but not limited to education, information, and
26 training services, all for the purpose of supporting users of WPF's core services.

27 17. The pending applications and registrations in paragraphs 12-15, and the additional uses
28 described in paragraph 16 will be collectively referred to as the "WordPress Trademarks."

18 18. WPF has used the WordPress Trademarks in interstate commerce throughout the United
19 States to identify and distinguish its goods and services from the products and services provided by

1 other entities since at least as early as 2003, and has expended significant resources promoting and
2 advertising the WordPress Trademarks in connection with these goods and services.

3 19. As a result of the significant sales, promotion, and use of the WordPress Trademarks,
4 WPF's trademarks have become widely recognized by the general consuming public of the United
5 States as a designation of source of the goods and services of WPF. WPF has expended and continues
6 to expend resources promoting and advertising the WordPress brand and the goods and services
7 provided thereunder. As a result of such promotion and advertising, coupled with the reputation of the
8 high quality and popularity of WPF's goods and services, the WordPress Trademarks have attained
9 goodwill among consumers nationally and around the world. The WordPress Trademarks and the
10 goodwill of the business associated therewith are of inestimable value to WPF.

11 20. WPF has also spent significant time and resources preventing the unauthorized use of
12 the WordPress Trademarks by third parties. WPF actively monitors the U.S. Federal Trademark
13 Registry and diligently acts to protect the WordPress Trademarks.

14 21. WPF has a written and publicly available policy that governs the use of the WordPress
15 Trademarks by others, including the use and registration of the WordPress Trademarks in domain
16 names.

17 **Defendant's Business and Infringement**

18 22. Defendant Yablon is an individual based in New York, doing business as The WordPress
19 Helpers, and has designated himself the President of the same. Defendant PC-VIP is a New Jersey
20 Corporation, and the parent company of The WordPress Helpers.

21 23. Defendants offer and provide commercial services in the field of website design,
22 training, and other services utilizing WPF's platform ("Infringing Services").

23 24. The Infringing Services are available to the public via Defendants' website at
24 www.thewordpresshelpers.com and are further marketed by Defendants through social media online
25 platforms, such as Facebook and Twitter. In connection with the provision of the Infringing Services,
26 Defendants' website displays multiple third party advertisements tailored to each visitor of the website.

27 25. Defendants have registered and currently own multiple domain names incorporating the
28 WordPress Trademarks, including but not necessarily limited to: thewordpresshelpdesk.com,

1 thewordpresstrainers.com, thewordpressteachers.com, thewordpressdoctors.com, wordpresstraffic.com,
2 and thewordpresstutors.com (collectively, the "Infringing Domain Names"), and are using the
3 Infringing Domain Names to direct consumers to The WordPress Helpers website.

4 26. WPF learned of Defendants' unauthorized use of the WordPress Trademarks and
5 registration of the Infringing Domain Names in January of 2015. Since that time, WPF has repeatedly
6 reached out to the Defendants requesting that they cease use of the WordPress Trademarks and transfer
7 the Infringing Domain Names to WPF.

8 27. Defendants have refused to comply with WPF's requests, and on May 12, 2015,
9 Defendant Yablon instituted an opposition proceeding with the Trademark Trial and Appeal Board
10 (TTAB), opposing registration of WPF's U.S. Trademark Application Serial No. 86448439 for the
11 WORDPRESS trademark in connection with:

12 electronic publishing services, namely, publication of video, text
13 and graphic works of others via the Internet.

14 28. Defendants market, promote, provide, and sell the Infringing Services through the same
15 channels of trade and to the same customers as WPF, using the WordPress Trademarks. Attached as
16 Exhibit E are representative screenshots of Defendants' webpage advertising and providing the
17 Infringing Services. Consumers may be confused as to the source of Defendants' Infringing Services,
18 the affiliation between Defendants and WPF, or the sponsorship of Defendants' services by WPF due to
19 the use of the WordPress Trademarks.

20 29. The Infringing Services are identical in some respects, and highly related in other
21 respects, to WPF's services in that both sets of services include electronic publishing services; design
22 and website management and solutions; and education, information, and training services, all provided
23 in connection with the WordPress platform.

24 30. Defendants' use of the WordPress Trademarks in connection with the Infringing
25 Services falsely creates the impression that the Infringing Services are sponsored by or affiliated with
26 WPF and constitutes trademark infringement and unfair competition.

27 31. Defendants do not have the consent of WPF to use the WordPress Trademarks.
28

34. WPF has no adequate remedy at law.

36. Because of Defendants' bad faith and intentional and willful infringement, unfair competition, and deceptive trade practices, Plaintiff is entitled to recover punitive damages to deter Defendants from repeating their unlawful activities, as well as Plaintiff's attorneys' fees and the costs of this action.

(LANHAM ACT: 15 U.S.C. § 1114)

38. Defendants' promotion, advertising, provision, sale, and offering for sale of the Infringing Services under the WordPress Trademarks is likely to confuse, mislead, or deceive consumers, the public, and the trade as to the origin, source, sponsorship, or affiliation of said products and services, and is intended and is likely to cause such parties to believe in error that the Defendants' Infringing Services have been authorized, sponsored, approved, endorsed, or licensed by WPF, or that Defendants are in some way affiliated with WPF.

6

1 40. Defendants' use of the WordPress Trademarks with the Infringing Services has been and
2 continues to be willful, deliberate, unfair, false, deceptive, and intended to trade upon the goodwill and
3 reputation appurtenant to the WordPress Trademarks.

4 41. Defendants' acts have damaged and will continue to damage WPF, and WPF has no
5 adequate remedy at law.

6 42. WPF is entitled to injunctive relief prohibiting Defendants from using the WordPress
7 Trademarks, or any marks confusingly similar thereto, in accordance with 15 U.S.C. § 1116, and to
8 recover all damages, including attorneys' fees, that Plaintiff has sustained and will sustain, and all
9 gains, profits, and advantages obtained by Defendants as a result of their infringing acts alleged above
10 in an amount not yet known, as well as the costs of this action, pursuant to 15 U.S.C. § 1117(a).

11 **SECOND CLAIM FOR RELIEF**

12 **FALSE DESIGNATION OF ORIGIN AND UNFAIR COMPETITION**

13 **(LANHAM ACT: 15 U.S.C. § 1125 (A))**

14 43. WPF realleges and incorporates by reference the allegations of paragraphs 1 through 42
15 as if fully set forth in this paragraph.

16 44. Defendants' conduct complained of herein constitutes federal unfair competition, false
17 designation of origin, and false advertising pursuant to 15 U.S.C. § 1125(a).

18 45. Defendants' intentional, unlawful, and unauthorized use in commerce of the WordPress
19 Trademarks, and Defendants' false advertising in commerce as described herein, is likely to cause
20 confusion, mistake, or deception as to origin, sponsorship, or approval of Defendants' services and
21 therefore constitutes false designation of origin and false advertising, in violation of 15 U.S.C. §
22 1125(a). Defendants' acts have damaged and will continue to damage WPF, and WPF has no adequate
23 remedy at law.

24 46. WPF is entitled to injunctive relief prohibiting Defendants from using the WordPress
25 Trademarks, or any marks confusingly similar thereto, in accordance with 15 U.S.C. § 1116, and to
26 recover all damages, including attorneys' fees, that WPF has sustained and will sustain, and all gains,
27 profits, and advantages obtained by Defendants as a result of the infringing acts alleged above in an
28 amount not yet known, as well as the costs of this action, pursuant to 15 U.S.C. § 1117(a).

1 **THIRD CLAIM FOR RELIEF**

2 **ANTICYBERSQUATTING CONSUMER PROTECTION ACT**

3 **(LANHAM ACT, 15 U.S.C. § 1125 (D))**

4 47. WPF realleges and incorporates by reference the allegations of paragraphs 1 through 46
5 as if fully set forth in this paragraph.

6 48. Upon information and belief, Defendants have and continue to have a bad faith intent to
7 profit from the registration and continued use of the Infringing Domain Names by creating an
8 association with WPF's distinctive WORDPRESS trademark.

9 49. Defendants have registered, trafficked in, and used the Infringing Domain Names,
10 which incorporate the identical WordPress Trademarks.

11 50. The WordPress Trademarks were distinctive at the time of Defendants' registration and
12 the Infringing Domain Names wholly contain the WordPress Trademarks.

13 51. WPF has been damaged by Defendants' unlawful use and registration of the Infringing
14 Domain Names and will suffer irreparable harm.

15 52. Defendants' acts, as aforesaid, are in violation of the Anticybersquatting Consumer
16 Protection Act under Section 43(d) of the Lanham Act, 15 U.S.C. § 1125(d).

17 53. As a result of Defendants' actions, WPF is entitled to immediate transfer of any domain
18 names incorporating the WordPress Trademarks, including the Infringing Domain Names, in
19 accordance with 15 U.S.C. § 1125(D)(1)(c); and an award of statutory damages of between \$1,000 and
20 \$100,000 per each of the Infringing Domain Names pursuant to 15 U.S.C. § 1117(d).

21 **FOURTH CLAIM FOR RELIEF**

22 **TRADEMARK INFRINGEMENT**

23 **(CALIFORNIA BUSINESS & PROFESSIONS CODE § 14245)**

24 54. WPF realleges and incorporates by reference the allegations of paragraphs 1 through 53
25 as if fully set forth in this paragraph.

26 55. WPF is the owner and authorized user of the WordPress Trademarks, with the right to
27 enforce the WordPress Trademarks. Defendants are not authorized to use any of the WordPress
28 Trademarks.

56. Defendants' use of the WordPress Trademarks without WPF's permission constitutes unauthorized reproduction, counterfeit, copying, or colorable imitations of the WordPress Trademarks.

57. Without WPF's consent, Defendants have used the WordPress Trademarks in connection with the sale, provision, distribution, offering for sale, and advertising of the Infringing Services in California in a manner likely to cause confusion or mistake, or to deceive as to the source of the Infringing Services. Defendants engaged in the unauthorized use of the WordPress Trademarks with knowledge and intent to create confusion or mistake, or to deceive as to the source of the Infringing Services.

58. Defendants' actions have caused, and unless enjoined will continue to cause, substantial and irreparable injury to WPF for which WPF has no adequate remedy at law, including but not limited to substantial and irreparable injury to the goodwill and reputation associated with the WordPress Trademarks.

59. WPF is entitled to injunctive relief, recovery of Defendants' profits, actual damages, treble profits and damages, costs, and reasonable attorneys' fees.

FIFTH CLAIM FOR RELIEF

UNFAIR COMPETITION

(CALIFORNIA BUSINESS & PROFESSIONS CODE § 17200 et seq.)

60. WPF realleges and incorporates by reference the allegations of paragraphs 1 through 59 as if fully set forth in this paragraph.

61. WPF is informed and believes, and on that ground alleges, that Defendants have intentionally appropriated WPF's trademarks with the intent of causing confusion, mistake, and deception as to the sources of the Infringing Services with the intent to palm off the Infringing Services as those of WPF, and as such, have committed unfair competition in violation of California law.

62. The foregoing acts of the Defendants have caused and will continue to cause injury to WPF by depriving WPF of sales of its genuine goods and services, injuring its business reputation, and by passing off Defendants' goods and services, including the Infringing Services, as WPF's goods and services, all in violation of the law of the State of California.

63. Defendants' acts have caused and will continue to cause irreparable harm and damage to WPF, and have caused and will continue to cause WPF monetary damage in an amount thus far not determined, for which WPF is entitled to its actual damages, Defendants' profits, punitive damages, attorneys' fees, and costs.

64. Defendants' infringement of the WordPress Trademarks constitutes "unlawful, unfair or fraudulent business act[s] or practice[s] and unfair, deceptive, untrue or misleading advertising" within the meaning of California Business and Professions Code § 17200 *et seq.*

65. As a consequence of Defendants' actions, WPF is entitled to injunctive relief and an order that Defendants disgorge all profits on the use, display, or sale of the Infringing Services.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiff, WPF, requests that this Court:

A. Permanently enjoin and restrain Defendants, their officers, agents, servants, employees, directors, representatives, successors, assigns, related companies, and those in privity with Defendants or in active concert or participation with Defendants from:

(1) using the WordPress Trademarks or any confusingly similar phrases, trademarks, or trade names in connection with the advertising, promotion, provision, and marketing of its services in a way that is likely to cause confusion among consumers, including as incorporated in domain names, social media accounts, and other online platforms;

(2) representing by words or conduct that Defendants or their services are authorized, sponsored, endorsed, or otherwise connected with WPF;

(3) marketing and providing any goods or services that bear the WordPress Trademarks, including but not limited to displaying promotional and marketing materials on outlets such as websites, social media platforms, and other sources available over the Internet; and

(4) any other conduct which causes or is likely to cause confusion, mistake, deception, or misunderstanding as to the source, affiliation, connection, or association of the Infringing Services.

B. Require Defendants to immediately transfer to WPF any domain names incorporating the WordPress Trademarks in accordance with 15 U.S.C. § 1125(d)(1)(c);

C. Require Defendants to dismiss, with prejudice, Opposition No. 91221895 currently pending before the United States Trademark Trial and Appeal Board.

D. Award an accounting for, and enter judgment against Defendants for, all profits received from the sale of its services in connection with the WordPress Trademarks in the United States;

E. Award to WPF its damages suffered as a result of Defendants' misconduct in such sum as the Court shall find to be just as a result of the Defendants' acts complained of herein;

F. Award WPF punitive damages to deter such misconduct by Defendants in the future;

G. Award to WPF an increase in the award of damages up to three times the amount found for deliberate and willful trademark infringement and false designation of origin by Defendants pursuant to 15 U.S.C. § 1117(a);

H. Award to WPF statutory damages of between \$1,000 and \$100,000 per each of the Infringing Domain Names pursuant to 15 U.S.C. § 1117(d);

I. Require Defendants to pay the costs of this action together with WPF's attorneys' fees and disbursements incurred herein;

J. Award to WPF pre-judgment and post-judgment interest;

K. Require Defendants pursuant to 15 U.S.C. § 1118 to destroy all materials, both in print and in electronic format, bearing the WordPress Trademarks;

L. Award to WPF such other and further relief as this Court deems just and equitable.

JURY DEMAND

PLAINTIFF DEMANDS A TRIAL BY JURY ON ALL MATTERS DECIDABLE BY JURY

Dated: June 18, 2015

BARNES & THORNBURG LLP

By: 

LEVI HEATH
JONATHAN BOUSTANI
Attorneys for Plaintiff
WORDPRESS FOUNDATION

INDS02 1377886v2

Exhibit A

Int. Cls.: 9 and 42

Prior U.S. Cls.: 21, 23, 26, 36, 38, 100 and 101

Reg. No. 3,201,424

United States Patent and Trademark Office

Registered Jan. 23, 2007

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

WordPress

AUTOMATTIC INC. (DELAWARE CORPORATION)
2757 GREEN STREET
SAN FRANCISCO, CA 94123

FOR: DOWNLOADABLE SOFTWARE PROGRAM
FOR USE IN DESIGN AND MANAGING CONTENT
ON A WEBSITE, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36
AND 38).

FIRST USE 3-28-2003; IN COMMERCE 3-28-2003.

FOR: SOFTWARE SOLUTIONS, NAMELY PRO-
VIDING USE OF ON-LINE NON-DOWNLOADABLE

SOFTWARE FOR USE IN ENABLING INTERNET
PUBLISHING, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 3-28-2003; IN COMMERCE 3-28-2003.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-826,734, FILED 3-1-2006.

TRAVIS WHEATLEY, EXAMINING ATTORNEY

Int. Cls.: 9 and 42

Prior U.S. Cls.: 21, 23, 26, 36, 38, 100 and 101

Reg. No. 3,201,428

United States Patent and Trademark Office

Registered Jan. 23, 2007

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**



AUTOMATTIC INC. (DELAWARE CORPORATION)
2757 GREEN STREET
SAN FRANCISCO, CA 94123

FOR: DOWNLOADABLE SOFTWARE PROGRAM
FOR USE IN DESIGN AND MANAGING CONTENT
ON A WEBSITE, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36
AND 38).

FIRST USE 3-28-2003; IN COMMERCE 3-28-2003.

FOR: SOFTWARE SOLUTIONS, NAMELY PROVIDING
USE OF ON-LINE NON-DOWNLOADABLE
SOFTWARE FOR USE IN ENABLING INTERNET
PUBLISHING, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 3-28-2003; IN COMMERCE 3-28-2003.

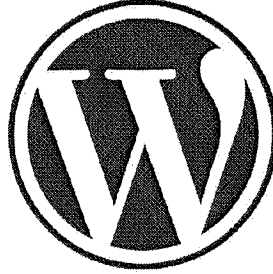
SER. NO. 78-826,938, FILED 3-1-2006.

TRAVIS WHEATLEY, EXAMINING ATTORNEY

Exhibit B

United States of America

United States Patent and Trademark Office



Reg. No. 3,988,241

Registered July 5, 2011

Int. Cls.: 9 and 41

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

WORDPRESS FOUNDATION (CALIFORNIA CORPORATION)
200 BRANNAN STREET #239
SAN FRANCISCO, CA 94107

FOR: COMPUTER SOFTWARE FOR USE IN DESIGN AND MANAGING CONTENT ON A WEBSITE AND ENABLING INTERNET PUBLISHING, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 3-28-2003; IN COMMERCE 3-28-2003.

FOR: ELECTRONIC PUBLISHING SERVICES, NAMELY, PUBLICATION OF VIDEO, TEXT AND GRAPHIC WORKS OF OTHERS VIA THE INTERNET, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 3-28-2003; IN COMMERCE 3-28-2003.

THE MARK CONSISTS OF THE LETTER "W" ENCOMPASSED BY A CIRCLE.

SER. NO. 85-023,661, FILED 4-26-2010.

SHAUNIA CARLYLE, EXAMINING ATTORNEY

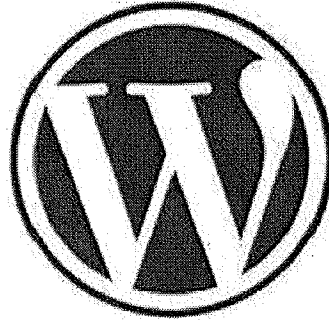


David J. Kappas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 4,317,426

Registered Apr. 9, 2013

Int. Cls.: 25 and 42

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

WORDPRESS FOUNDATION (CALIFORNIA CORPORATION)
660 4TH STREET #119
SAN FRANCISCO, CA 94107

FOR: CLOTHING, NAMELY, T-SHIRTS, SWEATSHIRTS, JACKETS, PULLOVERS, TANK
TOPS AND SHORTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 7-0-2006; IN COMMERCE 7-0-2006.

FOR: APPLICATION SERVICE PROVIDER (ASP), NAMELY, PROVIDING USE OF ON-LINE
NON-DOWNLOADABLE SOFTWARE FOR USE IN DESIGN AND MANAGING CONTENT
ON A WEBSITE AND ENABLING INTERNET PUBLISHING, IN CLASS 42 (U.S. CLS. 100
AND 101).

FIRST USE 3-28-2003; IN COMMERCE 3-28-2003.

OWNER OF U.S. REG. NOS. 3,201,428 AND 3,988,241.

THE MARK CONSISTS OF THE LETTER "W" WITHIN A BLACK CIRCLE.

SN 77-903,009, FILED 12-30-2009.

TRACY WHITTAKER-BROWN, EXAMINING ATTORNEY



Lee H. Staebli
Acting Director of the United States Patent and Trademark Office

Exhibit C

Generated on: This page was generated by TSDR on 2015-06-12 12:08:53 EDT

Mark: WORDPRESS

WORDPRESS

US Serial Number: 86448439

Application Filing Date: Nov. 07, 2014

Register: Principal

Mark Type: Service Mark

Status: An opposition after publication is pending at the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: May 12, 2015

Publication Date: Apr. 14, 2015

Mark Information

Mark Literal Elements: WORDPRESS

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

International Registration Number: 1246668

International Application(s) /Registration(s) Based on this Property: A0046375/1246668

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [.] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "*" identify additional (new) wording in the goods/services.

For: electronic publishing services, namely, publication of video, text and graphic works of others via the Internet

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 28, 2003

Use in Commerce: Mar. 28, 2003

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: WordPress Foundation

Owner Address: 660 4th Street #119
San Francisco, CALIFORNIA 94107
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: David A.W. Wong
Attorney Primary Email Address: dwong@btlaw.com

Docket Number: 52453-232377
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: DAVID A.W. WONG
 BARNES & THORNBURG LLP
 11 S MERIDIAN ST
 INDIANAPOLIS 46204-3506

Phone: 317-236-1313

Fax: 317-231-7433

Correspondent e-mail: dwong@btlaw.com TMINDocket@btlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 12, 2015	OPPOSITION INSTITUTED NO. 999999	221895
May 12, 2015	OPPOSITION PAPERS RECEIVED AT TTAB	
Apr. 14, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 14, 2015	PUBLISHED FOR OPPOSITION	
Mar. 25, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 27, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 27, 2015	ASSIGNED TO EXAMINER	80800
Nov. 18, 2014	NOTICE OF PSEUDO MARK E-MAILED	
Nov. 17, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 11, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information**

TM Attorney: GUTTADAURO, JULIE MARI

Law Office Assigned: LAW OFFICE 106

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 06, 2015

Proceedings**Summary**

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: 91221895

Filing Date: May 12, 2015

Status: Pending

Status Date: May 12, 2015

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: WordPress Foundation

Correspondent Address: DAVID A.W. WONG
 BARNES & THORNBURG LLP
 11 S MERIDIAN ST
 INDIANAPOLIS IN , 46204-3506

Correspondent e-mail: dwong@btlaw.com; TMINDocket@btlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
WORDPRESS	Opposition Pending	<u>86448439</u>	
Plaintiff(s)			

Name: Edward J Yablon

Correspondent Address: Edward J Yablon
 PC-VIP inc
 115 E 87th St21-C
 New York NY , 10128
 UNITED STATES

Correspondent e-mail: jeff@answerguy.com

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 12, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 12, 2015	Jun 21, 2015
3	PENDING, INSTITUTED	May 12, 2015	

Generated on: This page was generated by TSDR on 2015-06-12 12:10:01 EDT

Mark: WORDPRESS

WORDPRESS

US Serial Number: 86448426

Application Filing Date: Nov. 07, 2014

Register: Principal

Mark Type: Trademark

Status: Application has been published for opposition. The opposition period begins on the date of publication.

Status Date: Apr. 14, 2015

Publication Date: Apr. 14, 2015

Mark Information

Mark Literal Elements: WORDPRESS

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

International Registration Number: 1246668

International Application(s) /Registration(s) Based on this Property: A0046375/1246668

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [.] indicate deleted goods/services,
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *.* identify additional (new) wording in the goods/services.

For: clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 2006

Use in Commerce: Jul. 2006

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: WordPress Foundation

Owner Address: 660 4th Street #119
San Francisco, CALIFORNIA 94107
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: David A.W. Wong
 Attorney Primary Email Address: dwong@btlaw.com

Docket Number: 52453-232376
 Attorney Email Yes
 Authorized:

Correspondent

Correspondent Name/Address: DAVID A.W. WONG
 BARNES & THORNBURG LLP
 11 S MERIDIAN ST
 INDIANAPOLIS, INDIANA 46204-3506
 UNITED STATES

Phone: 317-236-1313

Fax: 317-231-7433

Correspondent e-mail: dwong@btlaw.com TMINDocket@btlaw.com

Correspondent e-mail Yes
 Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 14, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
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Nov. 17, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 11, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information**

TM Attorney: GUTTADAURO, JULIE MARI

Law Office Assigned: LAW OFFICE 106

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 06, 2015

Exhibit D

Owner	Country	Trademark	App. No.	Reg. No.	Status	Goods
WordPress Foundation	Albania	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Antigua and Barbuda	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Armenia	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Australia	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing

WordPress Foundation	Azerbaijan	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Bahrain	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Belarus	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Bosnia and Herzegovina	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Brazil	W & Circle Design	831064986		Published	42 Int. providing use of nondownloadable software for use in design and managing content on a website and enabling internet publishing; electronic publishing services, namely, publication of video, text and graphic works of others via the internet
WordPress Foundation	Brazil	W & Circle Design	831064978		Published	09 Int. computer software for use in design and managing content on a website and enabling internet publishing

WordPress Foundation	Brazil	W & Circle Design	831064994	831064994	Registered	35 Int. organizing, promoting, conducting, and sponsoring of events and meetings in the field of blogging and Internet publishing; consulting services, namely, facilitating third-party organization of events and meetings in the field of blogging and Internet publishing
WordPress Foundation	Brazil	W & Circle Design	831065001	831065001	Registered	25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts
WordPress Foundation	Brazil	WORDPRESS	908459980		Published	09 Int. computer software for use in design and managing content on a website and enabling internet publishing
WordPress Foundation	Brazil	WORDPRESS	908460023		Published	25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts
WordPress Foundation	Brazil	WORDPRESS	908460040		Published	41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet
WordPress Foundation	Brazil	WORDPRESS	908460082		Published	42 Int. providing use of non-downloadable software for use in design and managing content on a website and enabling internet publishing; electronic publishing services, namely, publication of video, text and graphic works of others via the internet
WordPress Foundation	Canada	WORDPRESS	1315055	698039	Registered	09 Int. downloadable software program and hosted software for use in designing and managing content
WordPress Foundation	China (People's Republic)	WORDPRESS	5579753	5579753	Registered	42 Int. downloadable software program and hosted software for use in designing and managing content
WordPress Foundation	China (People's Republic)	W WORDPRESS and Design	12610679		Filed	09 Int. downloadable software program and hosted software for use in designing and managing content
WordPress Foundation	China (People's Republic)	W WORDPRESS and Design	12610679		Filed	41 Int. providing on-line electronic publications (not downloadable); publication of electronic books and journals on-line; providing on-line electronic publications (not downloadable) of video, text and graphic works of others via the Internet; arranging and conducting of conferences at which people learn about blogging and Internet publishing; arranging and conducting of seminars at which people learn about blogging and Internet publishing.
WordPress Foundation	China (People's Republic)	W & Circle Design	11938340		Filed	09 Int. downloadable software program and hosted software for use in designing and managing content

WordPress Foundation	China (People's Republic)	W WORDPRESS and Design	15023830	Filed	09 Int. downloadable software program for use in designing and managing content; computer software applications, downloadable; counters; franking (apparatus to check -); false coin detector; coin-operated apparatus (mechanisms for -); electronic tags for goods; dictating machines; hemline markers; voting machines; ernie; photocopiers [photographic, electrostatic, thermic]; weighing apparatus and instruments; measures; electronic notice boards; discs (compact -) [audio-video]; cameras [photography]; surveying apparatus and instruments; optical apparatus and instruments; semi-conductors; fluorescent screens; remote control apparatus; optical fibers [fibres] [light conducting filaments]; lightning arresters; electrolyzers; fire extinguishing apparatus; radiological apparatus for industrial purposes; protection devices for personal use against accidents; alarms; contact lenses; cartoon; egg-candlers; dog whistles; magnets (decorative-); electrified fences; portable remote control car arrester; electrically heating clothes
WordPress Foundation	China (People's Republic)	W and Design	15541903	Filed	38 Int. Television broadcasting; communications by computer terminals; electronic mail; providing telecommunications connections to a global computer network; providing user access to global computer networks; providing internet chatrooms; providing data base cut-over service; providing online forums; transmission of digital files
WordPress Foundation	China (People's Republic)	W WORDPRESS and Design	15541902	Filed	42 Int. creating and maintaining web sites for others; hosting computer sites [web sites]; web site design consultancy; software design (computer -); computer software (updating of -); software (rental of computer -); computer software (maintenance of -); computer software (installation of -); computer software consultancy; software as a service [SaaS]; technical research; quality control; surveying; chemical research; biological research; forecasting (weather -); material testing; design services (packaging -); architecture; designing (dress -); authenticating works of art; graphic arts designing; cloud seeding; handwriting analysis; invisible asset evaluation; weight freight for others; cartography services
WordPress Foundation	China (People's Republic)	WORDPRESS Stylized	15541904	Filed	38 Int. Television broadcasting; communications by computer terminals; electronic mail; providing telecommunications connections to a global computer network; providing user access to global computer networks; providing internet chatrooms; providing data base cut-over service; providing online forums; transmission of digital files
WordPress Foundation	China (People's Republic)	WORDPRESS Stylized	15541901	Filed	42 Int. creating and maintaining web sites for others; hosting computer sites [web sites]; web site design consultancy; software design (computer -); computer software (updating of -); software (rental of computer -); computer software (maintenance of -); computer software (installation of -); computer software consultancy; software as a service [SaaS]; technical research; quality control; surveying; chemical research; biological research; forecasting (weather -); material testing; design services (packaging -); architecture; designing (dress -); authenticating works of art; graphic arts designing; cloud seeding; handwriting analysis; invisible asset evaluation; weight freight for others; cartography services

WordPress Foundation	Colombia	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Croatia	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Egypt	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	European Community	WORDPRESS	5101068	5101068	Registered	09 Int. scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers; recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire-extinguishing apparatus 35 Int. advertising; business management; business administration; office functions. 38 Int. telecommunications 42 Int. scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; legal services.

WordPress Foundation	European Community	W & Circle Design	009473505	009473505	Registered	09 Int. computer software for use in design and managing content on a website and enabling internet publishing 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 35 Int. organizing, promoting, conducting, and sponsoring of events and meetings in the field of blogging and Internet publishing; consulting services, namely, facilitating third-party organization of events and meetings in the field of blogging and Internet publishing 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the internet 42 Int. providing use of nondownloadable software for use in design and managing content on a website and enabling internet publishing
WordPress Foundation	Georgia	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Iceland	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	India	W & Circle Design	2045385		Published	09 Int. computer software for use in design and managing content on a website and enabling internet publishing 42 Int. providing use of nondownloadable software for use in design and managing content on a website and enabling internet publishing; electronic publishing services, namely, publication of video, text and graphic works of others via the internet
WordPress Foundation	India	W & Circle Design	2045384		Published	25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 35 Int. organizing, promoting, conducting, and sponsoring of events and meetings in the field of blogging and Internet publishing; consulting services, namely, facilitating third-party organization of events and meetings in the field of blogging and Internet publishing

WordPress Foundation	India	WORDPRESS	2843760		Filed	<p>09 Int. computer software for use in design and managing content on a website and enabling internet publishing; Software to enable uploading, posting, showing, displaying, tagging, blogging, sharing or otherwise providing electronic media or information over the Internet or other communications network</p> <p>25 Int. clothing, namely, t-shirts, sweatshirts, jackets, pullovers, tank tops and shorts</p> <p>41 Int. electronic publishing services, namely, publication of audio clips, video clips, text, photographs, graphic works, and other multimedia content of others via the Internet</p> <p>42 Int. providing use of nondownloadable software for use in design and managing content on a website and enabling Internet publishing; application service provider (ASP) featuring software to enable uploading, posting, showing, displaying, tagging, blogging, sharing or otherwise providing electronic media or information over the Internet or other communications network</p>
WordPress Foundation	Indonesia	W & Circle Design	D002011002420	IDM000354201	Registered	<p>25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts</p> <p>35 Int. organizing, promoting, conducting, and sponsoring of events and meetings in the field of blogging and Internet publishing; consulting services, namely, facilitating third-party organization of events and meetings in the field of blogging and Internet publishing</p>
WordPress Foundation	Indonesia	W & Circle Design	D002010038283	IDM000360808	Registered	<p>09 Int. computer software for use in design and managing content on a website and enabling Internet publishing</p> <p>42 Int. providing use of nondownloadable software for use in design and managing content on a website and enabling Internet publishing; electronic publishing services, namely, publication of video, text and graphic works of others via the Internet</p>
WordPress Foundation	Int'l Registration - Madrid Protocol Only	WORDPRESS	A0046375	1246668	Registered	<p>09 Int. downloadable software program for use in design and managing content on a website</p> <p>25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts</p> <p>41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet</p> <p>42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing</p>
WordPress Foundation	Israel	WORDPRESS	A0046375		Filed	<p>09 Int. downloadable software program for use in design and managing content on a website</p> <p>25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts</p> <p>41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet</p> <p>42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing</p>

WordPress Foundation	Japan	WORDPRESS	2006-80948	5049965	Registered	09 Int. downloadable computer software for use in designing and managing content such as characters and images, other computer software, other electronic machines and apparatus and their parts, telecommunication machines and apparatus, electronic publications 42 Int. computer software design, computer programming, maintenance of computer software; consultancy in the field of computer design technical advice relating to performance, operation, etc. of computers, automobiles and other machines that require high levels of personal knowledge, skill or experience of the operators to meet the required accuracy in operating them; rental of computers; providing computer software for use in designing and managing content such as characters and images; providing computer software for use in delivering electronic publications over the Internet; providing other computer programs; providing information and consultancy relating to provision of computer software for use in delivering electronic publications over the Internet
WordPress Foundation	Kazakhstan	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation of	Korea, Republic of	WORDPRESS	2006-3207	45-0019817	Registered	09 Int. downloadable software program and hosted software for use in designing and managing content 42 Int. hosted software solution services for enabling internet publishing
WordPress Foundation	Kyrgyz Republic	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing

WordPress Foundation	Liechtenstein	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Macedonia	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Mexico	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Moldova	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Monaco	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing

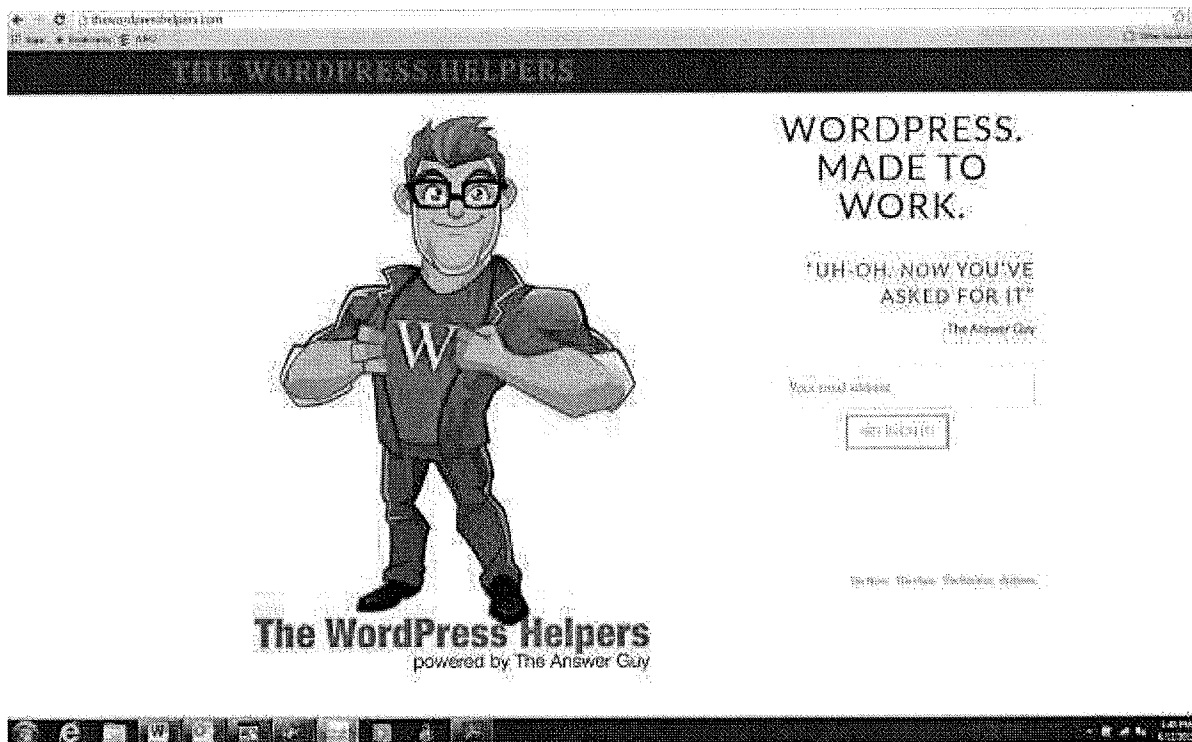
WordPress Foundation	Mongolia	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Montenegro	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	New Zealand	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Norway	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Philippines	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing

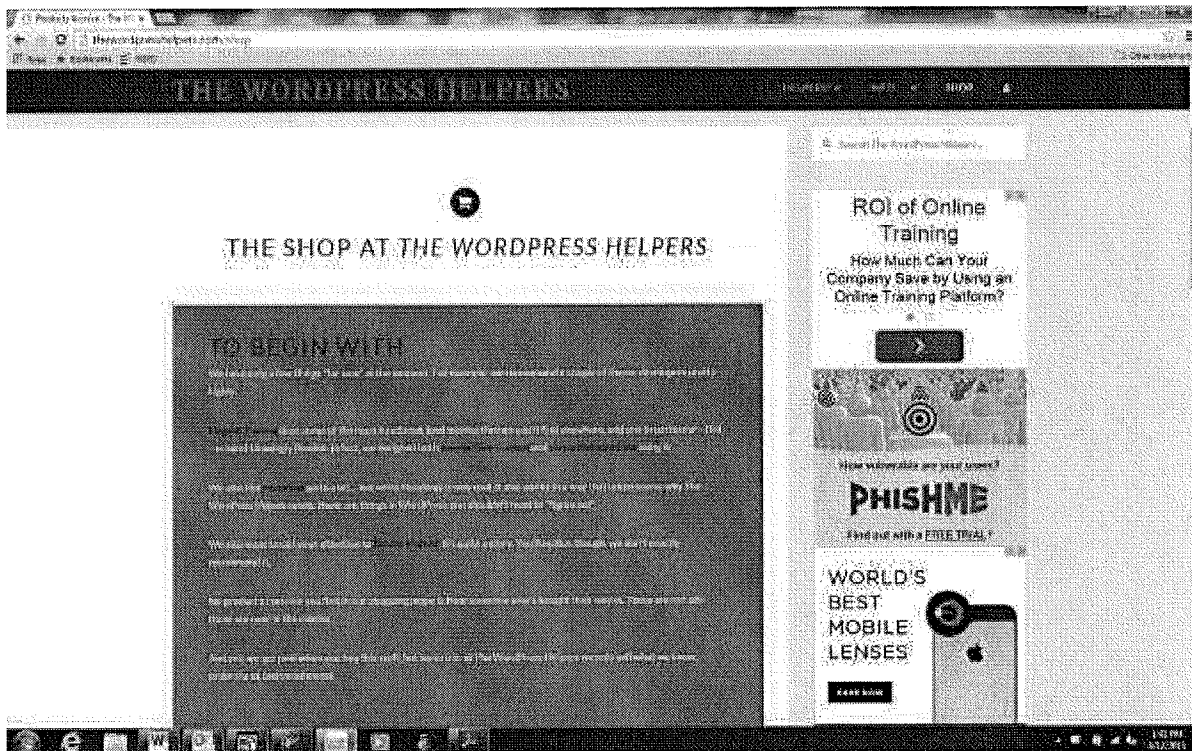
WordPress Foundation	Russian Federation	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Serbia	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Singapore	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Switzerland	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Taiwan	WORDPRESS			Proposed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing

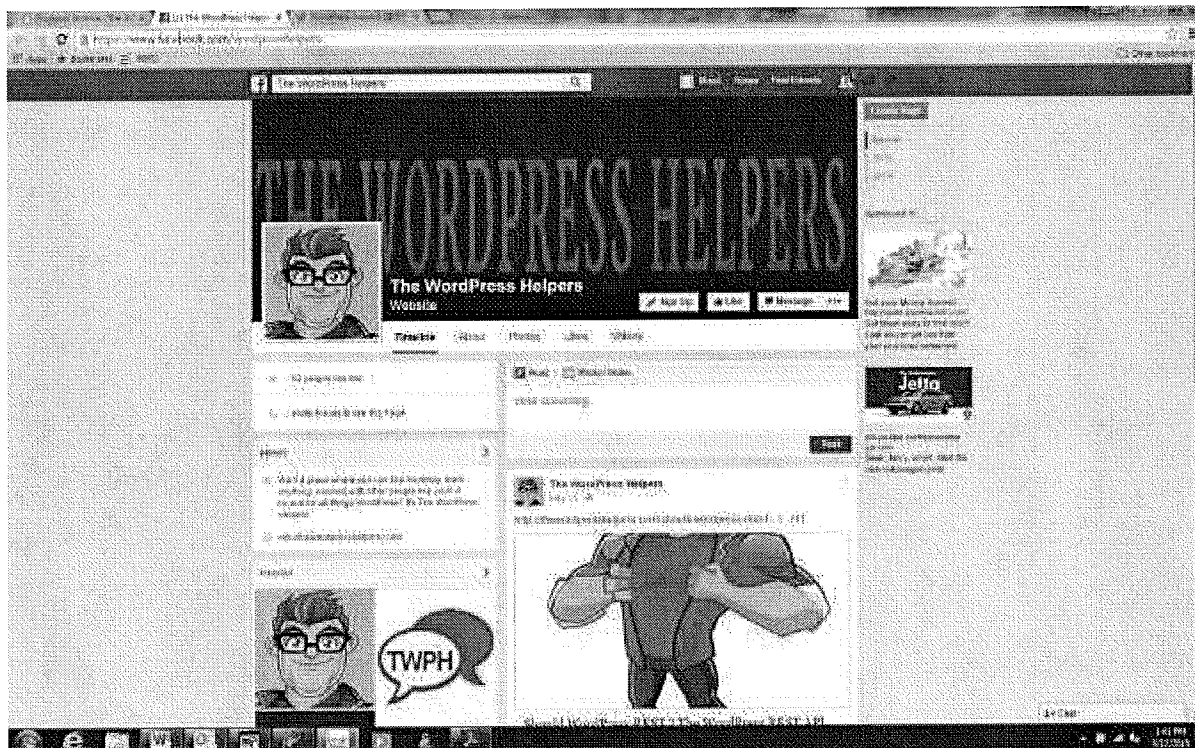
WordPress Foundation	Tajikistan	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Turkey	WORDPRESS	2011/51224	2011/51224	Registered	09 Int. computer software to enable Internet publishing and deliver electronic publications over the Internet 42 Int. computer services, namely providing use of online software for use in enabling Internet publishing and delivering electronic publications over the Internet
WordPress Foundation	Turkmenistan	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Ukraine	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing
WordPress Foundation	Uzbekistan	WORDPRESS	A0046375		Filed	09 Int. downloadable software program for use in design and managing content on a website 25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts 41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet 42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing

WordPress Foundation	Vietnam	WORDPRESS	A0046375	Filed	<p>09 Int. downloadable software program for use in design and managing content on a website</p> <p>25 Int. clothing, namely, t-shirts, hats, sweatshirts, jackets, pullovers, tank tops and shorts</p> <p>41 Int. electronic publishing services, namely, publication of video, text and graphic works of others via the Internet</p> <p>42 Int. software solutions, namely providing use of on-line non-downloadable software for use in enabling internet publishing</p>
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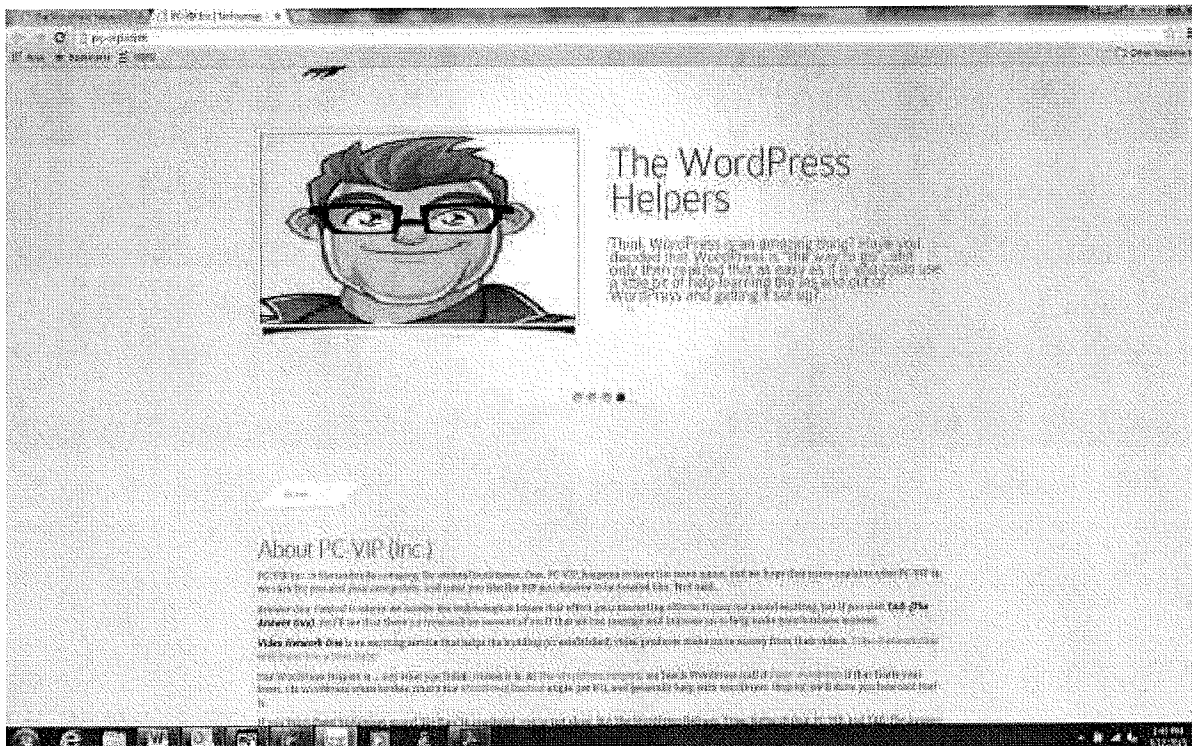
Exhibit E

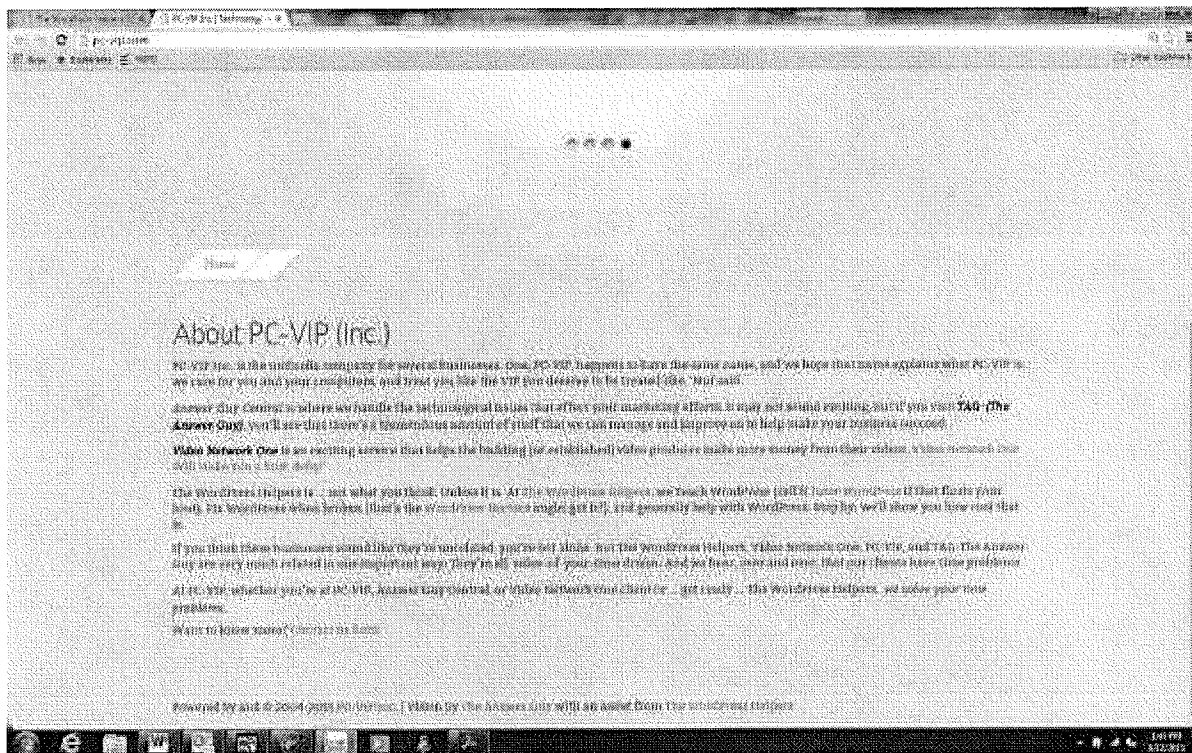






The screenshot shows a web browser window with the address bar displaying "http://the-wordpress-helpers.com/". The page has a dark header with the text "THE WORDPRESS HELPERS" in white. Below the header, there is a black banner with the text "THE ALL-YOU-NEED WORDPRESS CRASH COURSE" in white. Underneath the banner, the price "\$75" is displayed in large, bold, black text. Below the price, there are three bullet points: "One-on-one or Live Webinars - Your Choice", "An Hour Location in New York City from location convenient to the lab", and "Your Web Traffic - Partial WordPress Support Training Session". A small box below the bullet points contains the text "1465-2538-1111 (Toll Free)". Below the box, there is a paragraph of text: "Take The WordPress training to the next level in the next 24 hours. We'll show you all you need to know to a truly make WordPress work for you. This is not just a course, it's a crash course. If you're not a WordPress user, we'll show you the WordPress crash course for those who are not using the WordPress. What are you waiting for... when the WordPress thing is so easy to use?" At the bottom of the page, there is a section titled "FREE QUOTE" with a form that says "Your Name (required)".





Complaints and Other Initiating Documents

3:15-cv-02745 WORDPRESS FOUNDATION v. YABLON et al

U.S. District Court

California Northern District

Notice of Electronic Filing

The following transaction was entered by Boustani, Jonathan on 6/18/2015 at 3:27 PM and filed on 6/18/2015

Case Name: WORDPRESS FOUNDATION v. YABLON et al

Case Number: 3:15-cv-02745

Filer: WORDPRESS FOUNDATION

Document Number: 1

Docket Text:

COMPLAINT against All Defendants (Filing fee \$ 400, receipt number 0971-9611921.). Filed byWORDPRESS FOUNDATION. (Attachments: # (1) Exhibit A to Complaint for Infringement, # (2) Exhibit B to Complaint for Infringement, # (3) Exhibit C to Complaint for Infringement, # (4) Exhibit D to Complaint for Infringement, # (5) Exhibit E to Complaint for Infringement, # (6) Civil Cover Sheet Re Complaint for Infringement, # (7) Summons Re Complaint for Infringement)(Boustani, Jonathan) (Filed on 6/18/2015)

3:15-cv-02745 Notice has been electronically mailed to:

Jonathan J Boustani jonathan.boustani@btlaw.com

3:15-cv-02745 Please see Local Rule 5-5; Notice has NOT been electronically mailed to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:C:\fakepath\Complaint for Infringement.pdf

Electronic document Stamp:

[STAMP CANDStamp_ID=977336130 [Date=6/18/2015] [FileNumber=11745267-0]
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Document description:Exhibit A to Complaint for Infringement

Original filename:C:\fakepath\Exhibit A.PDF

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Document description:Exhibit B to Complaint for Infringement

Original filename:C:\fakepath\Exhibit B.PDF

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Document description:Exhibit C to Complaint for Infringement

Original filename:C:\fakepath\Exhibit C.PDF

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Document description:Exhibit D to Complaint for Infringement

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Document description:Exhibit E to Complaint for Infringement

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Document description:Civil Cover Sheet Re Complaint for Infringement

Original filename:C:\fakepath\Civil Cover Sheet.pdf

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Document description:Summons Re Complaint for Infringement

Original filename:C:\fakepath\Summons.pdf

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